



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/870,311	05/30/2001	David Blight	035451-0131 (3640.Palm)	7636

26371 7590 04/22/2004
FOLEY & LARDNER
777 EAST WISCONSIN AVENUE
SUITE 3800
MILWAUKEE, WI 53202-5308

EXAMINER

PHU, SANH D

ART UNIT	PAPER NUMBER
----------	--------------

2682

DATE MAILED: 04/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/870,311

Applicant(s)

BLIGHT ET AL.

Examiner

Sanh D Phu

Art Unit

2682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05/30/2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1. The IDS filed 5/30/2001 has been considered and recorded in the file.

Claim Rejections – 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1–3, 5, 7–26 are rejected under 35 U.S.C. 102(b) as being anticipated by Albukerk et al (5,929,848).

Regarding to claim 1, see Fig. 1, 2, 3 & 4, col. 8, line 1 to col. 10, line 10, Albukerk et al disclose a system for locating access to wireless resources, comprising:

a portable electronic device including a short-range transceiver (101, electromagnetic wave) (see col. 8, lines 25–26);

a database program running on the portable electronic device (101), the database program configured to store a history of wireless station information and available resource information (400) (see Fig. 4), the wireless station information being representative of wireless stations coming in communications with the short range transceiver as the portable electronic device is being moved through an environment (see Fig. 1 & 2, col. 8, lines 1–12 and lines 47–55, and col. 10, lines 11–52), and

the available resource information being correlated with the wireless station information and the available resource information being representative of the resources available through the wireless stations (see Fig.4, col. 10, lines 11–52).

Regarding to claim 2, Albukerk et al disclose that the system wherein the portable electronic device is a handheld computer (see Fig. 2, col. 9, lines 11–23).

Regarding to claim 3, Albukerk et al disclose that the system wherein the short range transceiver is a Blue tooth transceiver (electromagnetic wave) (see Fig. 1, col. 8, lines 25–26).

Regarding to claim 5, Albuherk et al disclose that the system wherein the wireless station information includes the type of wireless transceiver (IR, Electromagnetic, optical) being used by the wireless station (see col. 8, lines 25-29).

Regarding to claim 7, Albuherk et al disclose that the system wherein the wireless station information includes information representative of the location of the wireless station (see col. 12, lines 29-43).

Regarding to claim 8, Albuherk et al disclose that the system wherein the wireless station information includes a timestamp representative of a time that the portable device was in range of the wireless station (see col. 11, lines 13-15 and col. 15, line 65 to col. 16, line 26).

Regarding to claim 9, Albuherk et al disclose that the system wherein the resource information includes a resource identifier (see Fig. 5A, col. 12, lines 29-61).

Regarding to claim 10, Albuherk et al disclose that the system wherein the resource information includes a resource description (see Fig. 5A, col. 12, lines 29-61).

Regarding to claim 11, Albuherk et al disclose that the system wherein the resource information includes keywords relating to the resource (visitor can select detail information which relates to the object information, the processor retrieves and display it) (see col. 13, lines 1-13).

Regarding to claim 12, Albuherk et al disclose that the system wherein the resource information includes attributes for an object oriented data description (see Fig. 5A, col. 12, lines 31-43).

Regarding to claim 13, Albuherk et al disclose that the system wherein the resource information includes a listing of associated wireless stations (501,503, 505) (see Fig. 5A, 12, lines 31-43)

Regarding to claim 14, Albuherk et al disclose a method of locating access to resources in an environment, comprising:

roaming within an environment with a portable electronic device having a short-range transceiver (see Fig. 5A, col. 12, lines 31-34);

scanning for wireless enabled devices within range of the short-range transceiver of the portable device (see col. 12, lines 44-61);

storing wireless station information relating to the wireless enabled devices in a database (see col. 12, lines 55–61);

storing available resource information relating to the resources available through the wireless station in the database (see col. 12, lines 55–61); and

accessing, on the portable electronic device, the database including the wireless station information and the available resource information (see col. 12, lines 29–61).

Regarding to claim 15, Albuquerk et al disclose that the method further comprising: querying the database for a specified resource (see Fig. 5A, col. 12, lines 31–61).

Regarding to claim 16, Albuquerk et al disclose that the method further comprising: performing a keyword search of the database (when the visitors select the object to view, the receiver (203) begins to scan the object identifier, then the processor check the object identifier in the memory table associated with the visitor's object identifier) (see col. 12, lines 44–61).

Regarding to claim 17, Albukerk et al disclose the method further comprising: providing location information relating to accessing the specified resource (501,503,505) (see Fig. 5A).

Regarding to claim 18, Albukerk et al disclose that the method wherein the location information includes a set of directions (503) (see Fig. 5A).

Regarding to claim 19, Albukerk et al disclose that the method wherein the location information includes a map (505) (see Fig. 5A).

Regarding to claim 20, Albukerk et al disclose a method of locating access to resources in an environment, comprising:

moving through an environment with a portable electronic device having a short-range transceiver (see Fig. 5A, col. 12, lines 31-34);

receiving information relating to wirelessly accessible resources (see Fig. 5A, col. 12, lines 31-61);

storing the information in a database on the device (see col. 12, lines 29-61); and

accessing the database information according to a specific query (see col. 12, lines 29-61).

Art Unit: 2682

Regarding to claim 21, Albukerk et al disclose that the method wherein the environment is a metropolitan area (see col. 8, lines 6-12).

Regarding to claim 22, Albukerk et al disclose that the method wherein the environment is a shopping district (see col. 8, lines 6-12).

Regarding to claim 23, Albukerk et al disclose that the method wherein the environment is a shopping mall (see col. 8, lines 6-12).

Regarding to claim 24, Albukerk et al disclose that the method wherein the environment is an office building (see col. 8, lines 6-12).

Regarding to claim 25, Albukerk et al disclose that the method wherein the environment is a corporate campus (see col. 8, lines 6-12).

Regarding to claim 26, Albukerk et al disclose that the method wherein the environment is an academic campus (see col. 8, lines 6-12).

Claim Rejections – 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole

Art Unit: 2682

would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 4, 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Albuquerk et al (5,929,848) in view of Peters (6,601,093).

Regarding to claims 4 and 6, Albuquerk et al does not disclose an address and IEEE 802.11 of short-range communication.

However, Peters disclose IP address of the wireless stations that work between them (see col. 5, lines 29–56) and IEE 802.11 (bluetooth–enable mobile devices may also connect to a local area network) (see col. 6, lines 44 to col.7, line 3).

At the time of the invention was made, it would have been obvious for one skilled in the art to implement Albuquerk et al's system, as taught by Peters, in order to have the IP address and the Bluetooth LAN so that the system not only locates an object–identifier quickly and easily but it also retrieve data efficiently from data base.

Conclusion

Art Unit: 2682

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanh D Phu whose telephone number is (703) 305-8635. The examiner can normally be reached on 8:00-16:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 703-301-6739. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-8635.

Sanh D. Phu
Examiner
Art Unit 2682


VIVIAN CHIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

4/19/04

SP